UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/695,805	10/30/2003	Varsha Clare	50108-061	6881

7590	04/06/2006

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ART UNIT	PAPER NUMBER
2617	

DATE MAILED: 04/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>03</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 January 2006*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-45* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-45* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____ .

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-45 are rejected under 35 U.S.C. 102(e) as being unpatentable by

Costa-Requena et al (20040225874).

3.   Regarding claim 1 Costa-Requena et al teaches a communication network for

managing a user identifier of a user accessing data applications, the communication

network comprising (fig. 1):

a wireless communication network for linking a mobile station with a data

application associated with the wireless network, a user accessing the data application

from the mobile station and being identified by mobile station identifiers (page # 2,

para. # 0031-0032, page # 3, para. # 0036);

a computer system in communication with the data applications of the wireless

communication network, the computer system facilitating user sign-on capabilities to the

data applications from the mobile station by leveraging authentication already

performed by the Home Location Register corresponding to the mobile station identifiers

(page # 2, para. # 0031-0036, page # 5, para. 0050, 0048, page # 54 para. # 0054,

page # 8, para. # 0068).

Regarding **claim 2** Costa-Requena et al teaches further comprising a

communication network other than a wireless communication network for linking a user

interface other than a mobile station with a data application associated with the other

communication network, the user accessing the data application from the user interface

being identified by the user identifier entered by the user (page # 2, para. # 0031-0036,

page # 5, para. 0050, 0048, page # 54 para. # 0054, page # 8, para. # 0068).

Regarding **claim 3** Costa-Requena et al teaches further comprising: a server

associated with the wireless communication network for hosting the data application;

and another server associated with the other communication network for hosting the

other data application (page # 2, para. # 0031-0036, page # 5, para. 0050, 0048, page #

54 para. # 0054, page # 8, para. # 0068).

Regarding **claim 4** Costa-Requena et al teaches a database in communication

with the server associated with the wireless communication network; and another

database in communication with the server associated with the other communication

network (page # 2, para. # 0031-0036, page # 5, para. 0050, 0048, page # 54 para. #

0054, page # 8, para. # 0068).

Regarding **claim 5** Costa-Requena et al teaches wherein the computer system

facilitates population of the user identifier for the user in the database and in the other

database (page # 2, para. # 0031-0036, page # 5, para. 0050, 0048, page # 54 para. #

0054, page # 8, para. # 0068).

Regarding **claim 6** Costa-Requena et al teaches wherein the computer system is configured to store the user identifier (page # 2, para. # 0031-0036, page # 5, para. 0050, 0048, page # 54 para. # 0054, page # 8, para. # 0068).

Regarding **claim 7** Costa-Requena et al teaches wherein the computer system is configured to verify an identity of a received user identifier with the stored user identifier (page # 2, para. # 0031-0036, page # 5, para. 0050, 0048, page # 54 para. # 0054, page # 8, para. # 0068).

Regarding **claim 8** Costa-Requena et al teaches wherein the computer system is configured to verify the identity of the user accessing at least one data application of a plurality of data applications and is configured to store the user identifier with other data applications of the plurality of data applications (page # 2, para. # 0031-0036, page # 5, para. 0050, 0048, page # 54 para. # 0054, page # 8, para. # 0068).

Regarding **claim 9** Costa-Requena et al teaches wherein the computer system is configured for receiving any one of a new, changed, and updated user identifier from the data application associated with the other communication network, for populating the received user identifier with other data applications in the communication network (page # 2, para. # 0031-0036, page # 5, para. 0050, 0048, page # 54 para. # 0054, page # 8, para. # 0068).

Regarding **claim 10** Costa-Requena et al teaches wherein the computer system is configured for receiving any one of a new, changed, and updated user identifier from the data application associated with the wireless communication network, for populating the received user identifier with other data applications in the communication network

(page # 2, para. # 0031-0036, page # 5, para. 0050, 0048, page # 54 para. # 0054,

page # 8, para. # 0068).

Regarding **claim 11** Costa-Requena et al teaches wherein the computer system

employs an Authentication, Authorization, and Accounting (AAA) program at least for

authenticating an identity of, and authorizing access for, the user accessing the data

application (page # 2, para. # 0031-0036, page # 5, para. 0050, 0048, page # 54 para. #

0054, page # 8, para. # 0068).

Regarding **claim 12** Costa-Requena et al teaches wherein the computer system

comprises: a server employing an Authentication, Authorization, and Accounting

program for authenticating a user when accessing a data application from the mobile

station through one or more elements of the wireless communication network; and

another server in communication with the AAA server for authenticating the user when

accessing a data application from the other communication network and authorizing

access thereto (page # 2, para. # 0031-0036, page # 5, para. 0050, 0048, page # 54

para. # 0054, page # 8, para. # 0068).

Regarding **claim 13** Costa-Requena et al teaches wherein the computer system

is in communication a with third-party network hosting a third-party data application

(page # 2, para. # 0031-0036, page # 5, para. 0050, 0048, page # 54 para. # 0054,

page # 8, para. # 0068).

Regarding **claim 14** Costa-Requena et al teaches further comprising an interface for

interfacing the third-party network with the computer system (page # 2, para. # 0031-

0036, page # 5, para. 0050, 0048, page # 54 para. # 0054, page # 8, para. # 0068).

Regarding **claim 15** Costa-Requena et al teaches wherein the interface is a

Lightweight Directory Access Protocol interface (page # 2, para. # 0031-0036, page # 5,

para. 0050, 0048, page # 54 para. # 0054, page # 8, para. # 0068).

Regarding **claim 16** Costa-Requena et al teaches further comprising an

authorization server connected between the interface and the computer system (page #

2, para. # 0031-0036, page # 5, para. 0050, 0048, page # 54 para. # 0054, page # 8,

para. # 0068).

Regarding **claim 17** Costa-Requena et al teaches wherein the authorization server is

configured for storing a user identifier received from the computer system (page # 2,

para. # 0031-0036, page # 5, para. 0050, 0048, page # 54 para. # 0054, page # 8, para.

0068).

Regarding **claim 18** Costa-Requena et al teaches wherein the authorization

server is configured to authenticate and authorize user access to the third party data

application, a request for user access being received via the interface (page # 2, para. #

0031-0036, page # 5, para. 0050, 0048, page # 54 para. # 0054, page # 8, para. #

0068).

Regarding **claim 19** Costa-Requena et al teaches wherein the authorization

server is configured to authorize user access to a data application of any one of the

third party, the wireless communication network, and the other communication network

(page # 2, para. # 0031-0036, page # 5, para. 0050, 0048, page # 54 para. # 0054,

page # 8, para. # 0068).

Regarding **claim 20** Costa-Requena et al teaches wherein the computer system is configured to authenticate and authorize access to the third party data application and a data application of either the wireless or the other communication network (page # 2, para. # 0031-0036, page # 5, para. 0050, 0048, page # 54 para. # 0054, page # 8, para. # 0068).

Regarding **claim 21** Costa-Requena et al teaches wherein the data application associated with the wireless network and the data application associated with the other communication network are through the same service provider (page # 2, para. # 0031-0036, page # 5, para. 0050, 0048, page # 54 para. # 0054, page # 8, para. # 0068).

Regarding **claim 22** Costa-Requena et al teaches wherein the HLR authenticates a mobile station accessing the wireless network corresponding to mobile station identifiers (page # 2, para. # 0031-0036, page # 5, para. 0050, 0048, page # 54 para. # 0054, page # 8, para. # 0068).

Regarding **claim 23** Costa-Requena et al teaches wherein the computer system is configured to query the HLR for an authenticated mobile station accessing the wireless communication network (page # 2, para. # 0031-0036, page # 5, para. 0050, 0048, page # 54 para. # 0054, page # 8, para. # 0068).

Regarding **claim 24** Costa-Requena et al teaches wherein the computer system queries the HLR for the authenticated mobile station in response to mobile station identifiers received from the data application the user is accessing (page # 2, para. # 0031-0036, page # 5, para. 0050, 0048, page # 54 para. # 0054, page # 8, para. # 0068).

Regarding **claim 25** Costa-Requena et al teaches wherein the computer system is configured to verify the identity of the user accessing the data application based on the authenticated mobile station leveraged from the HLR corresponding to the mobile station identifiers received from the data application (para. # 0031-0036, 0050, 0048,0054,0068,0074).

Regarding **claim 26** Costa-Requena et al teaches a method for managing authentication of a user accessing data applications of a service provider via at least two different networks, the method comprising the steps of (fig. 1):

receiving a user identifier entered by a user for accessing a data application associated with a wireless communication network (para. # 0031-0036, 0050, 0048,0054,0068,0074);

receiving the user identifier entered by the user for accessing a data application associated with a communication network other than the wireless communication network accessing a computer system from either the wireless communication network or the other communication network (page # 2, para. # 0031-0036, page # 5, para. 0050, 0048, page # 54 para. # 0054, page # 8, para. # 0068); and

verifying that the entered user identifier matches a stored user identifier in the computer system (page # 2, para. # 0031-0036, page # 5, para. 0050, 0048, page # 54 para. # 0054, page # 8, para. # 0068).

Regarding **claim 27** Costa-Requena et al teaches receiving a new, updated, or changed user identifier from the user; and populating the new, updated, or changed

user identifier with data applications accessible through the service provider for

facilitating single sign-on (para. # 0031-0036, 0050, 0048,0054,0068,0074).

Regarding **claim 28** Costa-Requena et al teaches wherein the step of populating

the new, updated, or changed user identifier further comprises the step of: storing the

new, updated, or new user identifier in the computer system accessible from the

wireless communication network and the other communication network (page # 2, para.

0031-0036, page # 5, para. 0050, 0048, page # 54 para. # 0054, page # 8, para.

0068).

Regarding **claim 29** Costa-Requena et al teaches storing the new, updated, or

changed user identifier on a database corresponding to each data application

associated with the wireless communication network and each data application

associated with the other communication network (page # 2, para. # 0031-0036, page #

5, para. 0050, 0048, page # 54 para. # 0054, page # 8, para. # 0068).

Regarding **claim 30** Costa-Requena et al teaches accessing a third party

network through the service provider; receiving the user identifier entered by the user

for accessing a data application on the third party network; and accessing a server or

database in communication with the third party network via an interface (para. # 0031-

0036, 0050, 0048,0054,0068,0074).

Regarding **claim 31** Costa-Requena et al teaches wherein the server or

database is the computer system (page # 2, para. # 0031-0036, page # 5, para. 0050,

0048, page # 54 para. # 0054, page # 8, para. # 0068).

Regarding **claim 32** Costa-Requena et al teaches wherein the server or database is in communication with the computer system (page # 2, para. # 0031-0036, page # 5, para. 0050, 0048, page # 54 para. # 0054, page # 8, para. # 0068).

Regarding **claim 33** Costa-Requena et al teaches receiving a new, updated, or changed user identifier from a user using the data application on the third party network; and storing the new, updated, or new user identifier in the server or database (page # 2, para. # 0031-0036, page # 5, para. 0050, 0048, page # 54 para. # 0054, page # 8, para. # 0068).

Regarding **claim 34** Costa-Requena et al teaches the step of storing the new, updated, or changed user identifier on a database corresponding to each data application hosted by the wireless communication network and each data application hosted by the other communication network (para. # 0031-0036, 0050, 0048, 0054, 0068, 0074).

Regarding **claim 35** Costa-Requena et al teaches the step of storing the new, updated, or new user identifier in the computer system accessible from the wireless communication network and the other communication network (para. # 0031-0036, 0050, 0048,0054,0068,0074).

Regarding **claim 36** Costa-Requena et al teaches receiving a new, updated, or changed user identifier from a user using the data application on the wireless communication network or the data application on the other communication network; and storing the new, updated, or new user identifier in the server or database (page # 2,

para. # 0031-0036, page # 5, para. 0050, 0048, page # 54 para. # 0054, page # 8, para.
0068).

Regarding **claim 37** Costa-Requena et al teaches a method for managing
authentication of user accessing data applications on a wireless communication
network, the method comprising the steps of (fig. 1):

receiving a mobile station identifier from a data application associated with a
wireless communication network (page # 2, para. # 0031-0036, page # 5, para. 0050,
0048, page # 54 para. # 0054, page # 8, para. # 0068); comparing the mobile station
identifier with a mobile station identifier already authenticated by a Home Location
Register (para. # 0031-0036, 0050, 0048,0054,0068,0074); and verifying that the mobile
station corresponding to the mobile station identifier is authorized to access the data
application (page # 2, para. # 0031-0036, page # 5, para. 0050, 0048, page # 54 para. #
0054, page # 8, para. # 0068).

Regarding **claim 38** Costa-Requena et al teaches requesting and receiving
authentication information corresponding to the mobile station identifier; and
determining whether the mobile station is authorized to access the data application
based on received the mobile station identifier (para. # 0031-0036, 0050, 0048,
0054,0068,0074).

Regarding **claim 39** Costa-Requena et al teaches a program product, comprising
executable code transportable by at least one machine readable medium, wherein
execution of the code by at least one programmable computer causes the at least one
programmable computer to perform a sequence of steps, comprising (fig. 1): comparing

a user identifier received from a data application associated with a wireless

communication network with a stored user identifier (page # 2, para. # 0031-0036, page

5, para. 0050, 0048, page # 54 para. # 0054, page # 8, para. # 0068); comparing the

user identifier received a data application associated with a communication network

other than the wireless communication network (para. # 0031-0036, 0050,

0048,0054,0068,0074); and verifying that the user identifier matches the stored user

identifier (page # 2, para. # 0031-0036, page # 5, para. 0050, 0048, page # 54 para. #

0054, page # 8, para. # 0068).

Regarding **claim 40** Costa-Requena et al teaches populating a received new,

updated, or changed user identifier with data applications accessible through a service

provider for facilitating single sign-on (para. # 0031-0036, 0050, 0048,0054,0068,0074).

Regarding **claim 41** Costa-Requena et al teaches wherein the step of populating

the new, updated, or changed user identifier further comprises the step of: storing the

new, updated, or new user identifier in a computer system accessible from the wireless

communication network and the other communication network (para. # 0031-0036,

0050, 0048,0054,0068,0074).

Regarding **claim 42** Costa-Requena et al teaches wherein the step of populating

the new, updated, or changed user identifier further comprises the step of: storing the

new, updated, or changed user identifier on a database corresponding to each data

application associated with the wireless communication network and each data

application associated with the other communication network (page # 2, para. # 0031-

0036, page # 5, para. 0050, 0048, page # 54 para. # 0054, page # 8, para. # 0068).

Regarding **claim 43** Costa-Requena et al teaches verifying that a user identifier received from a third party network matches the stored user identifier for access to a data application associated with the third party network (para. # 0031-0036, 0050, 0048,0054,0068,0074).

Regarding **claim 44** Costa-Requena et al teaches storing a new, updated, or changed user identifier received from the third party network (page # 2, para. # 0031-0036, page # 5, para. 0050, 0048, page # 54 para. # 0054, page # 8, para. # 0068).

Regarding **claim 45** Costa-Requena et al teaches a program product, comprising executable code transportable by at least one machine readable medium, wherein execution of the code by at least one programmable computer causes the at least one programmable computer to perform a sequence of steps, comprising (fig. 1): comparing the mobile station identifier received from a data application associated with a wireless communication network with a mobile station identifier already authenticated by a Home Location Register (para. # 0031-0036, 0050, 0048,0054,0068,0074); and verifying that the mobile station corresponding to the mobile station identifier is authorized to access the data application (page # 2, para. # 0031-0036, page # 5, para. 0050, 0048, page # 54 para. # 0054, page # 8, para. # 0068).

Response to Argument

4.   (1) The affidavit filed on January 12, 2006 under 37 CFR 1.131 has been considered but is ineffective to overcome the Jackson et al. reference.

(2) The response did not include proof of the pertinent facts of the remaining inventors who did not sign the affidavit.

Section 715.04 and §1.47 state that if a joint inventor refuses to join in an application for patent or cannot be found or reached after diligent effort, the affidavit may be made by the other inventor on behalf of himself or herself and the nonsigning inventor. The declaration in such an application must include proof of the pertinent facts and the last known address of the nonsigning inventor.

(3) The affidavit filed on January 12, 2006 under 37 CFR 1.131 has been considered but is ineffective to overcome the Costa-Requena et al. reference, because the 3rd paragraph "Prior to May 5......" is just a statement without facts to support such statement.

(4) The evidence submitted is insufficient to establish a conception of the invention prior to the effective date of the Costa-Requena et al. reference. While conception is the mental part of the inventive act, it must be capable of proof, such as by demonstrative evidence or by a complete disclosure to another. Conception is more than a vague idea of how to solve a problem. The requisite means themselves and their interaction must also be comprehended. See *Mergenthaler v. Scudder*, 1897 C.D. 724, 81 O.G. 1417 (D.C. Cir. 1897).

(5) The evidence submitted is insufficient to establish diligence from a date prior to the date of reduction to practice of the Costa-Requena et al. reference to either a constructive reduction to practice or an actual reduction to practice.

For example, from Exhibit 1 to Exhibit 10, there is insufficient diligence since the Examiner cannot determine the date of Exhibit 1 to Exhibit 4.

Further, No evidence to show diligence between 05/04/2003 to 10/30/2003.

Conclusion

5.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Khawar Iqbal whose telephone number is 571-272-

7909.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Joseph H. Feild can be reached on (571) 272-4090. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist/customer service whose telephone

number is (571) 272-2600.

Khawar Iqbal

JOSEPH FEILD
SUPERVISORY PATENT EXAMINER